

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  <b>JOHN WILLIAM MARX and</b> <b>WILLIAM FREDERICK SHRIVER</b>	<b>For U. S.:</b>  <b>Nathan G. Graham</b> <i>For P. O. Board</i>   <b>For Defendant:</b>  <b>Kenneth L. Stainer (Ret- Mayo Bldg. 584-6404 Marx) Tulsa, Okla.</b>  <b>Ron Stockwell (Ret-Shriver) 5 W. 3rd, Grove miami 542-5558</b>

*Marx:*  
 114 Harwood Dr.  
 Bartlesville, Ok 74003

*406 S. Boulevard  
4th Natl Bldg. 587-0141  
Tulsa, Okla.  
Bldg 7403*

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 6-30-72	Clerk	9-8-72	Powers (Shriver)	5 00	
J.S. 3 mailed 9-30-72 (2)	Marshal	9-11-72	Stainer (Marx)	5 00	
Suppl. 6-1-74 (2)		9-14-72	C.D.No.12		10 00
Violation Armed robbery;	Docket fee	4-28-75	U.S. Ct.Clk	1000 00	
jeopardy of life		5-1-75	C. D. #48		100000
Title 18		10-5-81	850.08		5-4-85 50.00
Sec. 2113(a)(d)(e)		8-6-84	450.00 (FINE)		87-85 50.00
		9-10-84	450.00 (FINE)		10-9-85 50.00
		10-5-84	50.00 (FINE)		11-5-85 50.00
		11-6-84	50.00 (FINE)		12-5-85 50.00
		12-4-84	50.00 (FINE)		2-5-86 50.00
		2-6-85	50.00 (FINE)		3-5-86 50.00
		4-5-85	50.00 (FINE)		6-6-86 50.00
3 Counts		9-8-76			
	William F. Shriver, Pro Se				
	No. 87390-132				
	P. O. Box 1000				
	Leavenworth, Kansas 66048				
DATE					
6-26-72	Indictment, filed in open court. hm				
6-26-72	Record vote of the grand jury, filed in open court. hm				
6-26-72	Defendants John Wm. Marx and Wm. Fredrick Shriver each present in person and each represented. The govt rep. by Nathan G. Graham. Each defendant acknowledges receipt of Indictment; and Indictment read. Defendants each arraigned and defendant John Wm Marx enters pleas of NOT GUILTY as to Counts 1,2&3 and given 20 days to file motions. Government's request for NO BOND fixed as to defendant is granted. Defendant Wm. Frederick Shriver enters pleas of NOT GUILTY as to Cts. 1,2&3, and given 20 days to file motions. Def's request for bond setting overruled, and NO BOND fixed. Case as to both defendants is hereby passed to the next jury docket. (AEB-J)h				
6-28-72	Return on Subpoena to Testify, filed. Returned unexecuted, as to Fred Boyd. v				
6-28-72	Return on Subpoena to Testify, filed. Executed on 6-20-72 at Farmers and Merchants Bank, served on J.O. Lewis, delivered copy to him. v				
6-28-72	Return on Subpoena to Testify, filed. Executed on 6-20-72 at Farmers and Merchants Bank, served Mr. Houston Adams, delivered copy to him. v As to Mr. & Mrs. Houston Adams, Kim and Kerri Adams. v				

-over-

DATE	PROCEEDINGS
6-28-72	Return on Subpoena to Testify, filed. Executed by serving Patsy Barton at Farmers and Merchants Bank on 6-20-72. v
6-28-72	Return and Warrent of Arrest for Deft., John William Marx, filed. Executed by arresting Deft. on 6-18-72, in Bartlesville, Okla. v
<del>7-5-72</del>	<del>Order for Dismissal of the Complaint against John William Marx, Deft., filed. xxxvAEB-Jxxx</del>
<del>7-5-72</del>	<del>Order for Dismissal of the Complaint against William Frederick Shriver, Deft., filed. xxxvAEB-Jxxx</del>
7-14-72	Motion of deft. Shriver for bill of particulars, filed. g
7-14-72	Motion of deft. Shriver for change of venue, filed. g
7-14-72	Motion of deft. Shriver for discovery and inspection, filed. g
7-14-72	Motion of deft. Shriver for extension of time to file additional motions,
7-14-72	Motion of deft. Shriver for severance, filed. g
7-14-72	Case set for jury trial 7-21-72 at 9:30 a.m. (AEB-J)hm
7-17-72	Motion for Change of Venue, filed by John William MARX. Affidavit of the Deft. and Authorities are part of the pldg. v
7-17-72	Motion of the Deft., John William MARX, for Extension of Time, filed. v
7-17-72	Motion of the Deft., John William MARX, for Discovery and Inspection, with affidavit of the Deft. and authorities, filed. v
7-17-72	Motion of the Deft., MARX, for Bill of Particulars, with aff. & authorities, filed.
7-19-72	Government's Response to Motion for Bill of Particulars of the Deft. Marx, filed. v
7-19-72	Response to Motion for Extension of time of the Deft. Marx, filed by the Plaintiff. v
7-19-72	Response of the Pltff. to Deft. Marx's Motion for discovery and inspection, filed. v
7-19-72	Pltff.'s Brief and response to Deft. Marx's Motion for Change of Venue, filed. v
7-19-72	Pltff.'s Response to Motion of the Deft. Shriver, for Bill of Particulars, filed. v
7-19-72	Government's Brief and Response to Deft. Shriver's Motion for Change of Venue, filed. v
7-19-72	Response to Motion of the Deft. Shriver for Discovery and Inspection, filed by the Plaintiff. v
7-19-72	Pltff.'s Response to Motion of the Deft. Shriver, for Extension of Time, filed. v
7-19-72	Pltff.'s Response to Deft. Shriver's Request for Severance, filed. v
8-8-72	Application of Shriver for Ct. to fix bond, filed. rm - copy to Dene
8-9-72	Return on subpoenas duces tecum filed. Executed by serving Bob Brown, Jack Morris, and Jim Holtzman on August 8, 1972 at Tulsa, Oklahoma. ds (\$15.00)
8-9-72	Hearing held on motions. Defs each present in person and each represented. Statements made. It is ordered that Defs motion for extension of time to file additional motions is granted until 8-11-72, to be heard 8-15-72. Defs motion for change of venue overruled without prejudice. Def. Shriver motion for severance & separate trial overruled. Def. Shriver application to set bond, overruled without prejudice. Exhibits # 1,2 and 3 to Motion of defendant for change of Venue filed. (AEB-J)h
8-11-72	Motion of def. Marx for return of property, with brief in support thereof, filed. rm
8-14-72	Response of USA to def.'s mo. for return of property, filed. rm - copy to Dene
8-15-72	Application of defendant Shriver for return of property, filed. ds
8-15-72	Hearing on def's motion for return of property. Defendants each present in person. Wm. Powers Jr. present and rep. Def. Shriver. Motion for return of property granted in part with return of typewriter and raincoat. Ken Stainer granted 10 days to file additional motion for return of money. (AEB-J)h

UNITED STATES MAGISTRATE  
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma  
(Name of magistrate) (Address)

MAGISTRATE'S  
DOCKET No. 1 CASE No. 347  
THE UNITED STATES  
vs.

JOHN WILLIAM MARX

Complaint filed on June 18, 1972, by John L. Harrington  
Official title Special Agent, FBI, charging violation of  
United States Code, Title 18, Section 2113(a), (d), (e) May 2  
1972, at Tulsa, Oklahoma in the  
division of the Northern district of Oklahoma  
as follows: Did take by force and violence from  
Houston Adams \$49,500 monies belonging to F & M  
Bank and Trust Company and did put in jeopardy  
the life of Houston Adams, Doralee Adams, Kim  
Adams and Kerri Adams

(Here insert brief summary of facts constituting offense charged)

WARRANTS ~~XXXXXXXXXX~~ ISSUED:

Date June 18, 1972 Warrant/~~XXXXXXXXXX~~ for John William Marx  
(Name of defendant)  
to (name and title of officer) U. S. Marshal or any other authorized person  
Substance of return

Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_  
(Name of defendant)  
to (name and title of officer) \_\_\_\_\_  
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date June 18, 1972 Arrested by John L. Harrington { on warrant of Morris L. Bradford  
(Name of issuing officer)  
without warrant. Tulsa, Oklahoma  
(Address)  
Appearances { for United States Ben F. Baker (Name) Tulsa, Oklahoma (Address)  
for accused Kenneth L. Stainer (Ret.) (Name) Tulsa, Oklahoma (Address)  
Proceedings taken Defendant appeared before the undersigned Magistrate with

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"  
counsel, Kenneth L. Stainer. Defendant was advised of the charges filed against

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
him as contained in Complaint and of his right to a preliminary hearing. Pre-

if that is the fact; any adjournments taken, etc.  
liminary hearing was set for June 22, 1972 at 10 A.M.

Preliminary hearing passed until Wednesday, June 28, 1972 at 10 A.M. by  
agreement of attorneys for parties.

Indicted by Grand Jury on June 26, 1972 under No. 72-CR-112.

Outcome Defendant held without bail and remanded to custody of U. S. Marshal

Bail fixed \_\_\_\_\_, 19 \_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19 \_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_ [or] by surety  
(name) \_\_\_\_\_ Address \_\_\_\_\_  
(name) \_\_\_\_\_ Address \_\_\_\_\_, who  
justified by affidavit dated \_\_\_\_\_, 19 \_\_\_\_, [or] committed to \_\_\_\_\_  
on \_\_\_\_\_, 19 \_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

United States (Name) \_\_\_\_\_

(Address) \_\_\_\_\_

Accused (Name) \_\_\_\_\_

(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
 Proceedings taken \_\_\_\_\_

Outcome \_\_\_\_\_

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_

transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_

[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_

and \_\_\_\_\_ Address \_\_\_\_\_

who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_

on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 26th day of June, 1972

Transmitted to Clerk of United States District Court for the Northern  
 district of Oklahoma, June 26, 1972, 19\_\_\_\_

*Martin R. B...*

United States Magistrate.

UNITED STATES MAGISTRATE  
NORTHERN DISTRICT OF OKLAHOMA

72-CR-112  
FILED

JUN 27 1972

JOHN H. POE, Clerk  
U. S. DISTRICT COURT

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford  
(Name of magistrate)

U. S. Court House, Tulsa, Oklahoma  
(Address)

MAGISTRATE'S  
DOCKET No. 1 CASE No. 349  
THE UNITED STATES  
vs.

WILLIAM FREDERICK SHRIVER

Complaint filed on June 19, 1972, by Laurence E. Fann  
Official title Special Agent, FBI, charging violation of  
United States Code, Title 18, Section 2113 (a), (d), (e) May 2  
19 72, at Tulsa, Oklahoma in the  
division of the Northern district of Oklahoma  
as follows: Did take by force and violence from  
Houston Adams \$49,500 monies belonging to F & M  
Bank and Trust Company and did put in jeopardy  
the life of Houston Adams, Doralee Adams, Kim  
Adams and Kerri Adams

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date June 19, 1972 Warrant/XXXXXX Summons for William Frederick Shriver  
(Name of defendant)  
to (name and title of officer) U. S. Marshal or any other authorized person  
Substance of return \_\_\_\_\_

Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_  
(Name of defendant)  
to (name and title of officer) \_\_\_\_\_  
Substance of return \_\_\_\_\_

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date June 19, 1972 Arrested by John L. Harrington { on warrant of Morris L. Bradford  
(Name of issuing officer)  
without warrant. Tulsa, Oklahoma  
(Address)  
Appearances { for United States Ben F. Baker (Name) Tulsa, Oklahoma (Address)  
for accused Kenneth L. Stainer (Name) Tulsa, Oklahoma (Address)  
Proceedings taken Defendant appeared before the undersigned Magistrate with

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"  
counsel, Kenneth L. Stainer. Defendant was advised of the charges filed against

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
him as contained in Complaint and of his right to a preliminary hearing. Pre-

if that is the fact; any adjournments taken, etc.  
liminary hearing was set for June 23, 1972 at 10 A.M.

Preliminary hearing passed until Wednesday, June 28, 1972 at 10 A.M. by  
agreement of attorneys for parties.

INDICTED BY GRAND JURY ON JUNE 26, 1972 under No. 72-CR-112.

Outcome Defendant held without bail and remanded to custody of U. S. Marshal

Bail fixed \_\_\_\_\_, 19 \_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19 \_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_ [or] by surety  
(name) \_\_\_\_\_ Address \_\_\_\_\_  
(name) \_\_\_\_\_ Address \_\_\_\_\_, who  
justified by affidavit dated \_\_\_\_\_, 19 \_\_\_\_, [or] committed to \_\_\_\_\_  
on \_\_\_\_\_, 19 \_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

United States (Name) \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 Accused (Name) \_\_\_\_\_  
 (Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses) WITNESSES FOR ACCUSED: (List names and addresses)

\_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_, \_\_\_\_\_  
 \_\_\_\_\_, \_\_\_\_\_

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
 Proceedings taken \_\_\_\_\_

Outcome \_\_\_\_\_  
 Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
 on \_\_\_\_\_, 19\_\_\_\_  
 Certified to be a correct transcript.  
 Made this 26th day of June, 19 72  
 Transmitted to Clerk of United States District Court for the Northern  
 district of Oklahoma, June 26, 19 72

*M. P. B. [Signature]*

United States Magistrate.

DATE	PROCEEDINGS
8-16-72	Ordered that Magistrate conduct hearing on each deft's motions for bill of particulars and for discovery and inspection. (AEB-J)hm
8-16-72	Hearing called for above motions. No counsel present. Motions of deft. Shriver for bill of particulars and for discovery & inspection, and motions of deft. Marx for bill of particulars and for discovery and inspection, all overruled as U.S. Atty. advises that all information and instruments requested by defts. have been furnished.(MLB-Mag)hm
8-16-72	Motion of def. Shriver for return of property, with brief attached, filed.rm
8-15-72	<u>Minute Order</u> : This case passed from jury docket of 8/21/72 to be tried on 8/24/72 at 10:00 a.m. (AEB-J) rm
8-21-72	Application of the Deft., William Frederick <u>Shriver</u> , for Govt. to pay costs and witness fees, filed. v
8-23-72	Response to motion for return on property, filed by the Pltf., U.S.A. v
8-23-72	Hearing on motion held. Defendant Wm. Fredrick Shriver present in person and rep. by Wm. Powers, Jr., ret. counsel. It is adjudged that motion of the def. Shriver to subpoena witnesses in forma pauperis is granted and certain witnesses will be subpoenaed with no fee. Request for meeting of co-defendants granted. Order to be prepared by court.(AEB-J)h Shriver
8-23-72	Order granting def/ leave to subpoena certain witnesses at cost of govt. (AEB-J)rm - copies mailed
8-24-72	Return of service of subpoena, filed. rm
8-28-72	Assignment of interest in funds of deft. Marx, filed. hm
8-24-72	Case called for jury trial, and tried to a jury on Aug. 24, 25, 28, 29, 30, and 31, 1972. Jury panel of 12 members plus 2 alternates. Rule envoked. Def. renews motion for change of venue; denied. Jury sequestered. Def. Shriver's motion for mistrial overruled. Def's motions for acquittal overruled without prejudice. Aug. 31, 1972 (2:05 P.M.) Jury returns with verdicts. The jury finds defedent Wm. Fredrick Shriver guilty as charged in Counts 1,2 &3. The jury finds def. John Wm. Marx GUILTY as charged in Counts 1,2,&2. Verdicts read, approved and filed in open court. Jury excused. Def. Shriver renews motion for new trial and judgment of acquittal; overruled. Def. Marx moves for judgment of acquittal and it is overruled. Jury not polled. Def's each advised of right to appeal. It is adjudged that the def. Marx is GUILTY as charged in Cts. 1,2&3. It is adjudged that the def. Shriver is GUILTY as charged in Cts. 1,2&3, and sentence as to each def. is passed to Tues. Sept. 12, 1972, time not set.(AEB-J)h
8-30-72	Requested instructions of def. Shriver # 1,2&3 filed. h
8-30-72	Exhibits, filed in vault.h \$\$
8-29-72	Order, filed, that costs incurred by def. Shriver in subpoenaing Jack Turner and Joan Fenton be paid in same manner as witnesses appearing on behalf of govt. (AEB-J)rm - copies mailed
9-7-72	Notice of appeal ( <u>Marx</u> ), filed. rm (copies to USCA, US Atty, Stainer, Stockwell and Powers)
9-8-72	Notice of appeal by Wm. Frederick Shriver, filed. cpy to USCA, US Atty. & Stainer. g
<del>9-22-72</del>	<del>Application of defendant William Shriver for Admission to bail, filed. ds</del>

over copy to [unclear]



DATE	PROCEEDINGS
9-12-72	<p>Defendants each present in person and each represented. Defendant John Wm. Marx rep. by Kenneth L. Stainer. (ret counsel. ) The defendant Wm. Fredrick Shriver rep. by Wm. Powers, Jr., and Ron Stockwell, ret counsel. Def. John Marx' request for court to have def. sent to evaluation center denied.</p> <p>Judgment and Sentence- John Wm. Marx (54)</p> <p>Ct. 1- It is adjudged that the defendant is hereby committed to the custody of the Atty Gen or his authorized rep. for a period of 25 yrs., and further pay a fine unto the United States of America in the sum of \$10,000.</p> <p>Ct. 2- It is adjudged that the defendant is hereby committed to the custody of the Atty Gen or his authorized rep. for a period of 25 yrs., and further pay a fine unto the United States of America in the sum of \$10,000.</p> <p>Ct. 3- It is adjudged that the defendant is hereby committed to the custody of the Atty Gen or his authorized rep. for a period of 42 yrs.</p> <p><del>IT IS FURTHER ADJUDGED that Ct. 1 is merged into Ct. 2, and that Ct. 3, shall run concurrently with Ct. 2.</del></p> <p>IT IS FURTHER ADJUDGED that the sentence &amp; fine in Ct. 1 is merged into the sentence &amp; fine in Ct. 2, and that Ct. 3 shall run concurrently with Ct. 2.</p>
	<p>Judgment and Setnence- Wm. Fredrick Shriver</p> <p>Ct. 1- It is adjudged that the def. is hereby committed to the custody of the Atty Gen or his auuthorized rep. for a period of 25 yrs., and further pay a fine unto the United States of America in the sum of \$10,000.</p> <p>Ct. 2- It is adjudged that the def. is hereby committed to the custody of the Atty Gen or his authorized rep. for a period of 25 yrs., and further pay a fine unto the United States of America in the sum of \$10,000.</p> <p>Ct. 3- It is adjudged that the defendant is hereby committed to the custody of the Attorney General orhis authorized rep. for a period of 40 yrs.</p> <p>IT IS FURTHER ADJUDGED that the sentence &amp; fine in Ct. 1 is merged into the sentence &amp; fine in Ct. 2, and that Ct. 3 shall run concurrently with Ct. 2.</p> <p>Defendants are each advised of their right to appeal within 10 days from this date.</p>
	<p>Oral application of defendants for appeal in forma pauperis granted, and defendant each sign affidavits to accompany motion for leave to appeal in forma pauperis with approval of the court.(AEB-J)h</p>
9-12-72	Order of J&C of defendant John Wm. Marx filed & entered. Two c.c. to USM.h
9-12-72	Order of J&C of defendant Wm. Fredrick Shriver filed & entered. Two c.c. to USM.h
9-22-72	Application of defendant, William Shriver for admission to bail, filed. ds (copy to Dene)
9-26-72	Order filed, that Reporter prepare transcript of testimony for both defendants for filing in Clerk's office and for Court of Appeals. (AEB-J) ds
9-26-72	Certified copy of response of U.S.A. filed in bankruptcy of John William Marx, our Misc.-541, filed. rm
9-25-72	Return of Marshal's service of 19 subpoenas to testify, filed. rm (USM\$57.12)
9-25-72	Marshal's return on four (4) subpoenas to produce documents, filed.rm(UMS\$10.64)



D. C. 109A  
CRIMINAL DOCKET

Page 5

DATE	PROCEEDINGS
10-5-72	Marshal's return of service of J&C, filed. Delivered def. Marx to U.S. Pen Leavenworth, Kan. on 10/2/72. rm
10-5-72	Government's response to application for admission to bail, filed. ds
10-6-72	Deft. Shriver's notice of assignment of certain personal property to Ronald B. Stockwell and William F. Powers, attorneys, filed. g
10-6-72	Application of Wm. F. Powers to withdraw as court appointed counsel for defendant Shriver, filed. g
10-19-72	Order, filed, that the time to docket the appeal record is extended for 15 days from 10-17-72. (AEB-J)v
10-24-72	Case called for hearing on Application of Deft. William Fredrick Shriver for Admission to Bail. Deft. present and represented by Bill Powers and Ron Stockwell. Govt. rep. by Nathan G. Graham. Govt. has no objection to Court setting bail, if the bail is high enough. Court DENIES BAIL. Court grants children of the Deft. to visit Deft. in Jail. (AEB-J)v
10-24-72	Order, filed, that the appl. of Deft. Shriver for bail pending appeal be and is overruled and denied. Deft. is to be detained without bond pending appeal from his judgment of conviction & sentence. (AEB-J)v
10-25-72	Transcript of trial proceedings, in four volumes, filed. rm
10-31-72	Appeal record (Vols. I - VI) sent to U.S.C.A. rm
11-16-72	Marshal's return of service of J&C, filed. Delivered Shriver to U.S. Pen. Leavenworth, Kan. on 10/31/72. rm
12-7-72	Release and Disclaimer of Interest in Funds, filed by Kenneth L. Stainer, to the sum of money of \$4,660.00. v
1-2-73	Transcript of hearing on motions on 8-9-72, filed. (Orig. + 2 cpies to USCA)g
1-8-73	C.C. of Marx' motion to USCA to supplement record, filed. g
1-8-73	C.C. of Order of USCA re supplemental record, filed. g
1-29-73	Transcript of proceedings on application of deft. Shriver for admission to bail, filed. (Timothy Holmes, CSR) (orig. + 3 cpies)g
1-29-73	Supplemental appeal record (orig. + 3 cpies) sent to USCA. g
5-25-73	Return on Subpoena to Produce Document or object, filed. Charlotte Larkin and Sue Carlock picked up subpoenas in person at U.S. Atty. Office, on 8-30-72. v
10-29-73	as to Wm. Fredrick Shriver, Mandate & Opinion of USCA, filed & spread of record: Cts. 1 & 2 affirmed, Ct. 3 remanded with directions to dismiss. g
11-23-73	Mandate & Opinion of USCA as to John Wm. Marx, filed & spread of record: Cts. 1 & 2 affirmed, Ct. 3 remanded with directions to dismiss. g
11-23-73	Appeal record (Vol. 1-VI and Supp. Vol 1 and II) recd. from USCA. rm
12-6-73	Appeal record (Vol. I thru VI & Suppl. Vols. 1 & 2, sent to Supreme Court at direction of USCA, 10th Circuit. g (Cert. as to Shriver)

(Cont.)

DATE	PROCEEDINGS
5-28-74	Order, filed <sup>&amp; entered</sup> that sentences imposed against defts. Marx and Shriver, as to Counts I and II are to be served as imposed and affirmed by USCA, 10th Circuit, their applications for Certiorari having been denied by the Supreme Court; Count III as to each defendant, having been vacated and set aside by USCA, 10th Circuit, is hereby dismissed. (AEB-J)g (cpy sent to each def., counsel and US Pen., Leavenworth.)
5-22-74	Ltr. that petition for writ of cert. denied by Sup. Ct. on 5/13/74, filed.rm
6-14-74	Appeal record rec'd from Supreme Court. g
6-14-74	Motion of Wm. Frederick Shriver to reduce sentence, filed. g
6-17-74	Motion of John Wm. Marx for reduce or modify sentence, filed. g
6-19-74	Order, filed, overruling motion of Wm. Frederick Shriver for reduction or modification of sentence. cpy to Shriver & US Atty. (AEB-J)g
6-19-74	Order, filed, overruling motion of John Wm. Marx for reduction of modification of sentence. (AEB-J)g cpy to Marx & US Atty.
6-20-74	(Order filed in M-541, IN RE John W. Marx, Bankrupt, ordering Clerk to surrender \$3,000.00 to David H. Sanders by Judge Barrow).
7-12-74	Motion for Disbursement of Funds. b
7-22-74	Amended Motion for Disbursement of Funds, 1m.
7-25-74	Response to Pltf's Mtn. for Disbursement of Funds, filed.jj
7-29-74	Response to amended motion for disbursement of funds, filed. g
8-6-74	Traverse to Third-Party Response to Government's Amended Motion for Disbursement of Funds, filed. 1m
10-24-74	Motion to Correct an Illegal Sentence, filed by Deft. Shriver. v
3-28-75	Order, signed & filed overruling Deft. Shriver's motion for correction of sentence.(AEB-J)b cps mld.
3-28-75	MO: Evidentiary hearing is set herein at <u>10:00 A.M., Tuesday, 4-29-75</u> , on Pltf's motion for disbursement of funds; Response to Pltf's motion by W.F. Powers asserting right to the \$1,000 fund pursuant to assign. of 8-18-72, by Deft. in partial payment to said Powers for legal fees; and Deft's response to pltf's motion and traverse to third-party response asserting ownership of the \$1,000 fund in his wife, Mrs. Pat Shriver, pursuant to his assignment to her on 12-14-73, of his interest in said property.(AEB-J)b nts mld.
4-7-75	Notice of appeal by def. Shriver from order of 3/28/75, filed. rm (copies to Shriver, U. S. Attorney and USCA)
4-9-75	Motion of Wm. F. Shriver for return of property, filed. g
4-10-75	Order Nunc Pro Tunc, filed and entered, that Ct.'s order of 3/28/75 be reaffirmed and that Clerk forward 2255 forms to def. Shriver for filing.(AEB-J)rm copies of Order and Forms mailed to def. Shriver & counsel
4-23-75	Withdrawal of Amended Mot. for Disbursement of Funds, filed by USA. v -copy to Dene.

DATE	PROCEEDINGS
4-25-75	Order, filed, sustaining Govt's withdrawal of its prior Amended Motion & striking the hearing set at 10:00 a.m. on 4-29-75. (AEB-J)k
5-12-75	Appeal record (1 vol. orig. & 3 copies) re Shriver mo/correct sentence, sent to USCA. rm
5-16-75	Reporter's Transcript of Proceedings had on 8-15-72 re hearing on mot. for return of property, filed by Larry E. Marks, CSR. v -orig. and 1 copy
6-6-75	Motion for S/J, filed. copy to Dene jj
6-27-75	Order setting case for evidentiary hearing re Deft. Shriver on July 8, 1975, at 10:00 a.m. (AEB-J)b cps mld
6-30-75	Writ of habeas Corpus Ad Test., issued.b
6-30-75	Subpoena to testify issued to Mrs. Wm. Shriver.b
7-8-75	Case called for evidentiary hearing. Deft. Shriver present. Court appoints Robert Brown as counsel for deft. and hearing is continued to July 17, 1975 at 10:00 a.m. Mrs. Shriver appears on subpoena and is recognized back. (AEB-J)k
7-10-75	MO: It is ordered by the Court that Robert Brown, due to conflicting schedules, is hereby relieved as counsel for deft. Shriver and Ainslie Perrault, Jr. is hereby appointed to serve as counsel to deft. Shriver. (AEB-J)k
7-17-75	Case called for evidentiary hearing as to Deft. Shriver. Deft. present & represented. Govt. represented by Mr. Graham. Court enters order Nunc Pro Tunc; Court Clerk is ordered to return \$1,000 to Deft. Shriver within 5 days from date of this order, filed in open court. Deft. Co. Ainslie Perrault makes oral request to w/draw as counsel for Deft. Shriver and Court allows. (AEB-J)b
7-17-75	Order Nunc Pro Tunc, that Court Clerk refund from Registry of Court the \$1,000 herein to William F. Shriver within five (5) days of this date, signed & filed in open court. (AEB-J)b
9-11-75	Return on U.S. Marshals Service, Execution, filed. Served Wm. Frederick Shriver in Leavenworth, KS, on 8-18-75, with fee of \$12.16. v
11-7-75	Mandate & Opinion of USCA, 10th Circuit, affirming judgment/of 3-28-75, filed & spread of record. g as to Shriver
11-10-75	Appeal record (1 vo.) received from USCA.rm
11-21-75	Order for transfer of evidence, filed, directing Clerk to release to U.S. Atty. all pltf's exhibits for disposition. (AEB-J)hm (copies to U.S. Atty.)
<u>1976</u>	
1-30	Order for transfer of defts' exhibits, filed. Exhibits delivered by Clerk to U. S. Attorney. Receipt of said exhibits on original copy. (AEB-J)ph cps mld as to Shriver
2-4	Mandate issued 11-5-75/ (and filed 11-7-75) recalled by USCA.
2-4	New Mandate affirming judgment of 3-28-75 and denying petition for rehearing en banc, filed and spread of record. g
6-3	Shriver's Petition for Writ of Certiorari denied by Supreme Court on 5-19-76. g

DATE	PROCEEDINGS
1976	
9-9	Deft. William Frederick Shriver's motion to reduce or modify sentence, filed.s
9-14	Order, filed, overruling motion of Wm. F. Shriver for modification of sentence. (AEB-J)g cp mld.
1-20-77	Motion to Correct an Improper Sentence, fld. by Deft. Shriver. v -cpy to Dene.
3-10	Reporter's Partial Transcript of Proceedings had on 9-12-72 before Judge Barrow, and taken by Larry E. Marks, Reporter, fld. v
3-15	Order, filed, overruling motion of Wm. F. Shriver to correct an improper sentence. (AEB-J)g cps mld.
3-23	Notice of appeal by Shriver from order of 3/15/77 overruling his motion to correct improper sentence, filed.rm (copy to USCA and US Atty)
4-27	Shriver appeal (orig. + 3 cpies) sent to USCA. g
6-16-78	Mandate and Opinion of 10th Circuit, filed and spread of record, affirming Ct. order of 3/15/77. rm
6-16-78	Orig. appeal record (1 vol) received from USCA.rm
3-21-84	APPLIC for order directing judgment debtor to ans concerning property. (O to J)a
3-22	ORDER directing judg. debtor to ans. concerning property before Mag. on 4-4-84 at 2:00 p.m. (HDC-J) pt cc&cps/AUSA
4-6	RETURN on order, serving John William Marx on 3-28-84. (FEES:\$15.00) dm
<i>11-6-81- 52.08 fine</i>	
4-4-84	MIN ASSETS HEARING before MAG; deft appeared and hrg conducted and continued to 7-17-84 at 2:00 p.m. (RSR-MAG) kg
7-17	MIN ASSETS HEARING before MAG; hrg conducted and cont to 11-13-84 at 2:00 p.m. (RSR-MAG) kg
11-13	MIN ASSETS HEARING passed to 3-6-84 at 2:00 p.m. as req. by AUSA. (RSR-Mag) pt/kt (unrecorded)
1984	
12-3	ORDER to appear & ans as to prop before Mag on 3-6-85 at 2:00 p.m. (RSR-MAG) c/m tj
1985	
3-8	MIN ASSETS hearing before Mag; upon request of AUSA hrng passed to to 6-5-85 @ 2:00 p.m.(RSR-Mag) t
<i>5-7-84 \$100.00 fine</i> <i>6-5-84 \$100.00 fine</i> <i>1-4-85 \$50.00 fine</i> <i>6-10-85 \$50.00 fine mark</i> <i>9-6-85 \$50.00 fine (marx)</i> <i>5-6-86 \$50.00 fine (marx)</i> Continued	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1985		<i>For payments</i>
3-14	ORDER directing /Deft. John Wm. Marx debtor to appear & ans. as to property before Mag. on 6-5-85 at 2:00 p.m. (RSR-Mag) pt cps/ <del>mla</del> <i>mut</i>	5-5-87 50.00 6-6-87 50.00 7-7-87 50.00 7-20-87 50.00
6-5	MIN ASSET HRG., before Mag. Rizley, Hrg. passed at request of USA to 10-16-85 at 2:00 p.m. (RSR-Mag.)ho	9-8-87 50.00 10-6-87 50.00 11-5-87 50.00
6-10	ORDER directing debt to appear on 10/16/85 @ 2:00 PM & ans as to property (RSR-MAG)a cps/ <del>Marx</del> USA	12-7-87 50.00 2-8-88 50.00
10-16	MIN ASSETS HEARING passed to 11-13-85 at 2:00 p.m. (JLW-Mag) pt/kt	3-7-88 50.00
11-13	MIN: ASSETS HRG. before MAG. passed to 2-19-86 at 2:00 P.M. (JLW-MAG)dw(not rec.)	4-6-88 50.00 5-5-88 50.00 6-6-88 50.00 7-6-88 50.00
1986		8-5-88 50.00 9-7-88 50.00 10-6-88 50.00 11-7-88 50.00 12-7-88 50.00
2-19	MIN: ASSETS hrg. set before Mag. Deft. req. cont; AUSA does not obj.; cont. grntd.; Deft. ord. to reappear on 7-16-86 at 2:00 p.m. (JLW-MAG)dw(not rec)	12-7-88 50.00 1-6-89 50.00 2-8-89 50.00 4-6-89 50.00
2-24	ORDER to appear/& ans. as to property before MAG on 7-16-86 at 2:00 p.m. (JLW-Mag)hm (c/m AUSA & MAG & Mr. Stainer)	5-8-89 50.00
7-16	MIN: ASSETS HRG. before MAG passed to 1-21-87 at 2:00 p.m.(JLW-MAG)hm	5-8-89 50.00 6-7-89 50.00 7-6-89 50.00
1987		7-6-89 50.00 7-14-89 50.00 8-7-89 50.00 9-8-89 50.00 10-6-89 50.00 11-6-89 50.00
1-21	MO: ASSETS HRG. passed upon req. of debt. to 5-20-87 at 2:00 p.m. (JLW-Mag)k	12-8-89 50.00 1-8-90 50.00 2-6-90 50.00 3-7-90 50.00 4-9-90 50.00
1-27	ORDER directing judg. debtor to appear & ans. as to property before Mag. on 5-20-87 at 2:00 p.m. (JLW-Mag) pt cps/jdug. creditor	5-7-90 50.00 6-6-90 50.00 7-6-90 50.00 8-7-90 50.00 9-6-90 50.00 10-9-90 50.00 11-6-90 50.00 12-4-90 50.00 1-10-91 50.00 2-6-91 50.00 3-8-91 50.00 4-8-91 50.00 5-8-91 50.00 6-4-91 50.00 7-8-91 50.00
5-20	MIN ASSET HRG before Mag. Deft sworn; hrg conducted; Hrg cont'd to 8-19-87 at 2:00 pm. Deft recog back on that date. (JLW-MAG) jm	
8-19	MIN: ASSET HRG passed to 11-18-87 at 2:00p.m. (JSW-MAG) jm	
11-18	MIN ASSET HRG Passed to 5-17-88 at 2:00 pm. (JLW-MAG)j	
11-30	ORDER directing judg. debtor to appear & ans. as to property before Mag. Wagner on 5-18-87 at 2:00 p.m. (JLW-Mag) pt cps/judg. creditor	
1988		
5-16	ASSET HRG passed from 5-18-88 at 2:00 to 1-18-89 per AUSA. Deft recog back that date. (JLW-MAG)j ntc by phone	
1-12-89	MO: Upon advice of USA that debt. continues to make regular payments, assets hrg. set 1-18-89 at 2:00 p.m. is stricken. (JLW-Mag)k	

over

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-6-91 50.00		
10-7-91 50.00 ✓		
11-7-91 50.00		
12-7-91 50.00		
1-8-92 50.00		
2-5-92 50.00		
3-9-92 50.00		
4-7-92 50.00		
5-6-92 50.00		
6-6-92 50.00		
7-9-92 50.00		
8-10-92 50.00		
9-9-92 50.00		